

## **Remarks**

On November 16, 2005 the undersigned and the Examiner held a telephone conference to discuss the present Office Action. During that telephone conference the undersigned further explained differences between the prior art reference LeClair and the present invention. In particular, it was further explained that LeClair is directed to a process that, as currently understood by the undersigned, is not applied to design a model as recited by the claims of the present application, but rather, is applied to prepare a model for manufacturing and further, that what LeClair describes is a system for designing a process for machining of discrete parts, rather than a CAD system for designing a model composed of multiple parts. See, e.g., LeClair at col. 2 lines 16-26. The Examiner is also referred to the previously filed Response to the November 12, 2004 Office Action for a further explanation of LeClair.

During the November 16, 2005 telephone conference, the undersigned inquired as to whether the Examiner's rejection of the claims may be owing to a broad interpretation of the claims whereby the construction of "features" as recited by then-pending claim 1 of the present application was being interpreted by the Examiner to include construction of a physical part in accordance with the LeClair discrete part manufacturing process/system. The Examiner indicated that he was interpreting features so broadly as to encompass fashioning of the multiple constituent shapes forming a single discrete physical part. See, e.g., LeClair at col. 2, lines 27-40 explaining that a discrete part is fashioned from multiple constituent shapes. As discussed with the Examiner, the features "constructed" in accordance with claim 1 of the present application are intended to reference features constructed by CAD system software within a computer's memory, and such "features" were not intended to encompass the manufactured constituent shapes of a real-world object as is addressed by LeClair. The undersigned suggested language to further clarify this point and such language has been added to the claims. In particular, the undersigned has added language to claim 1 further clarifying that the invention is directed to "constructing within the memory of a computer system a three-dimensional model of a real-world object." The remaining

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independent claims have also been amended to incorporate the substance of this language. The undersigned further explained that such language differentiates the invention of claim 1 from what is disclosed in LeClair for at least the reason that LeClair is not directed to constructing a three-dimensional model that includes multiple parts, but rather, is directed to using a already-constructed three-dimensional model of a single part to drive a manufacturing process to fashion the constituent shapes of that part. In response, the Examiner indicated that the added language may be sufficient to distinguish LeClair. However, the Examiner indicated that he wished to conduct further searching and, accordingly, the filing of this RCE was recommended.

In addition, during the November 16, 2005 telephone call, the undersigned further inquired as to how LeClair showed the “identifying” of parts as recited by then-pending claim 1. The undersigned understood the Examiner’s position as being that LeClair’s determination of the multiple constituent shapes making up a discrete part was being interpreted to encompass “identifying” of parts. The Examiner appeared to accept that LeClair did not show identifying of parts from a library of pre-defined parts and, in any event, that treatment of LeClair’s constituent shapes as analogous to the “parts” recited by, e.g., claim 1, of the present application would result in inconsistencies with other language of the claims. The undersigned suggested language to further clarify that the “identifying” of claim 1 referred to the identification of existing parts such as from a parts library and such language has been added to the claims. The undersigned further explains that this “identifying” from a library of pre-defined parts further differentiates what is claimed from what is disclosed in LeClair for at least the reason that LeClair does not disclose identifying of parts in a parts library for the purpose of constructing a three-dimensional model as recited in claim 1 hereof; rather, LeClair is directed to fashioning constituent shapes of a single part and to drive a manufacturing process forming those shapes of a part. In response, the Examiner indicated that the added language appeared to further distinguish LeClair; however, here again, the Examiner indicated that he wished to conduct further searching and, accordingly, again indicated the necessity of the filing of this RCE.

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In light of the foregoing remarks and amendments made to the claims it is respectfully submitted that the Examiner's rejections are now moot and the claims are now in condition for allowance. It is respectfully requested that the Examiner withdraw all rejections and allow the claims.

## **Conclusions**

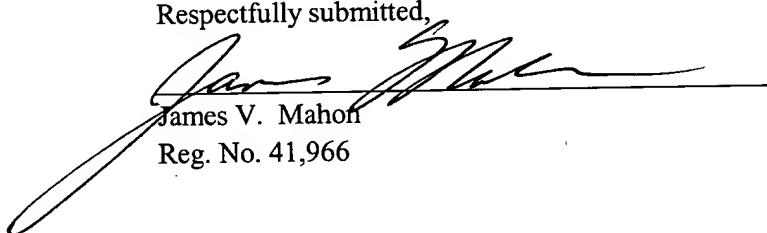
Claims 1-29 are now pending and believed to be in condition for allowance. Applicants respectfully request that all pending claims be allowed.

Please apply any credits or excess charges to our deposit account number 50-0521.

Date:

Nov 23, 2005

Respectfully submitted,

  
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